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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

JOSE MENDOZA, et al.,

Case No. 2:18-cv-959-JCM-CWH

## Plaintiffs,

V.

AMALGAMATED TRANSIT UNION  
INTERNATIONAL, a nonprofit  
corporation, et al.,

## Defendants.

**JOINT UNOPPOSED EMERGENCY  
MOTION FROM KEOLIS  
DEFENDANTS AND PLAINTIFFS  
REQUESTING LEAVE TO TAKE  
DEPOSITION OF KEOLIS 30(B)(6)  
REPRESENTATIVE AND DEFENDANT  
MANZANARES OUTSIDE OF  
PRESCRIBED DISCOVERY  
TIMEFRAME**

18        Here now come KTA Defendants and Plaintiffs and jointly, as Moving Parties,  
19 request that they be allowed to schedule two depositions beyond the current April 15,  
20 2019 deadline for purposes of discovery cutoff in the captioned action. To the extent  
21 required under the standards of Local Rule 26-4, “good cause” exists for taking these  
22 depositions outside of the discovery deadline for the following reasons. After an initial  
23 error, Plaintiffs submitted timely requests for production, to which KTA Defendants  
24 timely objected. The Parties agreed to a compromise as to their dispute regarding said  
25 requests for production, but the process of gathering the responsive documents has proved  
26 more time-consuming than expected.

1        This process was further hindered by counsel for KTA Defendants (who is the lone  
2 legal representatives for the KTA Defendants in this action), having to take leave to  
3 arrange and attend his mother's funeral on or around March 16, 2019. The absence from  
4 work of KTA Defendants' counsel in conjunction with the funeral services for his mother  
5 during the period when the documents needed to be reviewed was an intervening life  
6 circumstance out of the control of the KTA Defendants and defense counsel that delayed  
7 the search, review and production of discovery. The KTA Defendants and Plaintiffs agree  
8 that the KTA depositions should be taken outside the discovery schedule, and the  
9 remaining Defendants all have specifically represented they do not oppose this request.  
10 Consequently, there is no prejudice to any party herein or other impact to the schedule in  
11 place for any other facet of this litigation matter, which further minimizes most of the  
12 typical concerns in such circumstances, and further satisfies the elements of LR 26-4. The  
13 Moving Parties acted in good faith and seek only a limited extension of time to take the  
14 depositions that will not substantially affect the other deadlines.

15        The Moving Parties concur that Plaintiffs want and are entitled to review  
16 documents that KTA Defendants are in the process of gathering in anticipation of the  
17 previously requested depositions of a Keolis 30(b)(6) representative and Defendant  
18 Manzanares. The Moving Parties understand and agree that they will not be allowed  
19 beyond April 30, 2019 to complete the two depositions so as to avoid any conflict with  
20 other existing deadlines in the case, and that this request has no impact upon, and is  
21 intended to have none, over any other discovery or deadline in this case.

22        Counsel for MKA and ATU Defendants were consulted and do not oppose the  
23 foregoing request.

24        For the foregoing reasons, the Moving Parties believe good cause and/or excusable  
25 neglect is present under the current circumstances in support of their request.

DATED this 5th day of April, 2019.

MICHAEL J. MCAVOYAMAYA

**BUCHALTER,  
A PROFESSIONAL CORPORATION**

By: /s/ Michael J. Mcavoyamaya

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**It IS ORDERED THAT** Moving Parties shall have until April 30, 2019 to complete the two outstanding depositions of Kelvin Manzanares and Keolis Transportation's 30(b)(6) corporate representatives;

**IT IS FURTHER ORDERED THAT** no other date or obligations of the Parties under the current scheduling order is affected or changed by this order.

Dated: April 8, 2019

**UNITED STATES MAGISTRATE JUDGE**

I hereby certify that I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants, and mailed a copy of same to the following if non-registrants, this 5th day of April, 2019, to:

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